

### **REMARKS/ARGUMENTS**

Claims 1-13 are now in the application. No claims have been canceled. No claims have been amended.

In the Office Action the Examiner required a citation of references for information discussed in the Background of the Invention. Applicants have no specific references and no prior art search was made. The statements made in the Background of the Invention represent the personal knowledge and belief of the applicants.

In the Office Action the Examiner also objected to Figs. 1, 2 and 3 saying the figures require the legend "Prior Art". However, these figures do not represent prior art. These figures represent the operating environment of the invention. Fig. 1 shows a PDA with a display screen that might be produced in accordance with the invention. Fig. 2 represents a computing system on which the invention may be loaded and will perform its inventive operations. When the computing system is loaded with the computer process of the invention it will constitute an embodiment of the invention and not prior art. Fig. 3 illustrates the software environment of the invention and likewise when application program 302 is a program performing the operations of the invention Fig. 3 will operate in accordance with the invention. Accordingly, Figs. 1, 2 and 3 are provided in the application to show the operating environment of the invention and provide an enabling disclosure for the invention. The objection to the drawings as being prior art should be withdrawn.

### **Claim Rejections – 35 U.S.C. § 102**

Claims 1-13 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Treyz et al. (USPN 6,587,835). The Examiner begins the rejection of the claims at paragraph 6 of the Office Action and identifies a Houha reference. It is presumed that the Examiner meant to refer to the Treyz reference, and this response will be based on the Treyz reference. There is no Houha reference provided with the rejection.

Before discussing the rejection of the claims, it is worthwhile to review in general the differences between the applicants' invention and the Treyz reference.

In the present invention, notification profiles are created for notification events. There is a profile created for each event. Further, the various notification types, such as sound, vibration and display and combinations thereof, may be utilized to create a unique notification profile for

each event. Also, the applicants' invention provides for mode changes for notification profile for notification events.

The Treyz reference teaches a handheld computing device operating as a shopping assistant. The Treyz reference does not teach the setting of a profile for notification events. Treyz provides the ability of the user to set reminders as depicted in Fig. 38 of the Treyz patent. The Treyz reference does not teach setting notification profiles for notification events. In other words, in the Treyz reference all notification events will produce the same notification response. Treyz does not teach a notification profile per notification event.

With these differences in mind it will become clear as discussed below how the claims differ from the Treyz reference. The Examiner rejects independent claims 1, 6 and 9 citing column 35, lines 53-64 of the Treyz reference. This paragraph in the Treyz reference talks about setting reminders. It does not talk about setting a notification profile for a reminder. The Examiner also cites Fig. 103 where the user of the shopping assistant may enter a search name for a gift registry. There is no teaching of setting a notification profile as a result of such a search.

The Examiner also cites column 35, lines 46-67. These paragraphs in the Treyz reference talk about the user selecting to receive promotional information. They do not talk about setting a notification profile in the event promotional information is received. Lastly, the Examiner cites column 15, line 64 to column 16, line 15. These paragraphs talk about various types of notification. They do not talk about how one might set a notification profile per event to make use of the various types of notification.

Now examining claim 1, claim 1 calls for a method for storing at least one profile of notification events and notifying a user of an event according to the stored profile. Further, the claim talks about the notification events being associated with a notification type. As discussed above, the Treyz reference does not show setting a notification profile where there is an association between a notification event and a notification type. Claim 1 should be allowed.

Similarly, in claim 6 a stored computer process calls for storing a profile of notification events wherein the notification events are associated with at least one notification type. It further calls for associating each profile with a unique notification mode and, finally, it calls for receiving a selection signal to select the notification mode and applying that notification mode until another mode is selected. As discussed above, the Treyz reference does not teach storing a

profile for notification events, nor does it teach associating each profile with a notification type or selecting a signal to select a notification mode and applying the selected notification mode until another selection occurs. Claim 6 should be allowed.

Claim 9 is directed to a computing system for notifying a user of notification events. It calls for a memory for storing a plurality of profiles where the profile relates notification events to notification types. It also calls for first and second output devices for notifying the user and a processing unit for automatically determining whether to use the first notification type or second notification type. The Treyz reference does not store a plurality of profiles nor does it determine whether to notify the user of a first notification type or a second notification type where the notification type depends upon the profile relating to the notification event. Claim 9 should be allowed.

In paragraph 7 of the Office Action the Examiner rejects the dependent claims based on the same citations used in rejecting independent claims 1, 6 and 9.

Claims 2-5 are dependent on claim 1 and thus distinguish over the Treyz reference for at least the same reasons as discussed above for claim 1. Claims 2-5 should be allowed.

In addition, claim 2 adds to the method the acts of associating each profile with the unique notification mode and receiving a selection signal to select one notification mode and finally applying the selected notification mode until another mode is selected. The Treyz reference does not have a profile for a unique notification mode nor does it provide selecting a notification mode until another mode is selected. Claim 2 should also be allowed because it contains these additional operative acts not taught by the Treyz reference.

Claims 7 and 8 depend on claim 6 and should be allowed for at least the same reasons as discussed above for claim 6.

Claims 10-13 depend from claim 9 and should be allowed for at least the same reasons as discussed above for claim 9.

### **Conclusion**

As all claims in the application are in condition for allowance, Applicants request the application be allowed and pass to issuance as soon as possible.

It is believed that no further fees are due with this Response. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment with respect to this patent application to deposit account number 13-2725.

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Respectfully submitted,

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CUSTOMER NO. 27488

Homer L. Knearl

Homer L. Knearl, #21,197  
MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
303.357.1633